



18334 U.S. PTO

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 038917.44952C1

03970 U.S. PTO
10/676007



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a X continuation or ___ divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/217,819
Filed on December 22, 1998
Of Syuichi YANO et al.
Entitled: Bearing Seal for Water Pump
Examiner: Enoch E. Peavey
Group: 3676

- X 1. Accompanying this order is a true copy of the prior application as originally filed.
- Total pages 10.
- X 2. New Formal drawings are being filed herewith consisting of 5 sheet(s), depicting Figures 1-6.
- X 3. Declaration and Power of Attorney:
- a. ___ Newly executed (original or copy)
- b. X Copy from prior application
- i. ___ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- X 4. Incorporation by Reference:
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- X 5. Cancel original claims 2-6.

- ___ 6. Small entity status:
- a. ___ A small entity statement is enclosed
- b. ___ A statement of small entity status (copy attached) was filed on ___ in the prior application and status as a small entity is still proper and desired.
- c. ___ Is no longer claimed
- X 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						\$		\$ 770.00
Total Claims	<u>1</u>	-	20	=	<u> </u>	x	9	= \$
Ind. Claims	<u>1</u>	-	3	=	<u> </u>	x	42	= \$
<u> </u>	Multiple Dependent Claims					+	140	= \$
					Total	\$		\$ 770.00

- ___ 8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.
- X 9. A check in the amount of \$770.00 to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #038917.44952C1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/217,819, filed December 22, 1998.--
- X 12. Priority of Appln. No(s). 9-360922, filed in Japan on December 26, 1997, is hereby claimed under 35 U.S.C. 119.
- X 13. A certified copy of each said priority document was filed in application Serial No. 09/217,819 on December 22, 1998.
- X 14. The prior application is assigned of record to NSK Ltd..
- X 15. The power of attorney in the prior application is to:

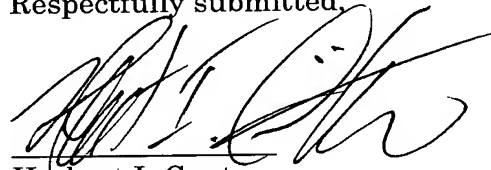
Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- X a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.
- X 19. Other: Application Data Sheet

Respectfully submitted,



Herbert I. Cantor
Registration No. 24,392

October 2, 2003

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